

EXHIBIT 1

1 UNITED STATES DISTRICT COURT
2 SOUTHERN DISTRICT OF TEXAS
3 HOUSTON DIVISION

4 UNITED STATES OF AMERICA 4:18-CR-00368

5 VS.

6 BRIAN SWIENCINSKI, HOUSTON, TEXAS
7 SCOTT BREIMEISTER,
8 VLADIMIR REDKO, M.D.,
9 CHRISTOPHER INCE, M.D., and
RONNIE MCADA, JR.,

Defendants. NOVEMBER 16, 2022

12 EXCERPT TRANSCRIPT OF JURY TRIAL PROCEEDINGS - DAY 6
13 HEARD BEFORE THE HONORABLE ALFRED H. BENNETT
14 UNITED STATES DISTRICT JUDGE
TRIAL TESTIMONY OF LEONARD CARR - VOLUME 1

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25 Proceedings recorded by mechanical stenography,
transcript produced via computer.

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Leonard Carr

Direct Examination by Ms. Remis..... 6

1 of physician is Dr. Redko?

2 A. To my knowledge, a pain management physician.

3 Q. Do you know how Dr. Redko and Mr. Swiencinski came to
4 found these pharmacies together?

5 A. To my understanding, Mr. Swiencinski was --

6 MS. RILEY: Objection. I'm sorry. He said to his
7 understanding. Lacks personal knowledge.

8 THE COURT: Overruled.

9 MS. RILEY: Calls for hearsay.

10 A. I was --

11 THE COURT: Just a moment.

12 Overruled.

13 MS. REMIS: You may proceed.

14 A. Mr. Swiencinski was a medical device sales rep for many
15 years, maybe a couple of decades and lastly for a company
16 called Medtronic.

17 Dr. Redko was a client of Mr. Swiencinski and he
18 visited -- he, Brian -- visited Dr. Redko regularly and that's
19 how they know each other to my knowledge.

20 **BY MS. REMIS:**

21 Q. And that's how they know each other.

22 How did you understand that they started the pharmacy
23 together?

24 A. Well, Mr. Swiencinski, Brian, was a sales rep at
25 Medtronic, but was also a sales rep for a compound pharmacy in

1 Florida called QMed and he had been doing very well, meaning
2 making a lot of money with QMed.

3 MS. RILEY: Objection to this testimony. It's 404(b).
4 We have a motion in limine on file regarding this topic.

5 THE COURT: Approach.

6 (Conference at the bench, as follows:)

7 MS. RILEY: We specifically asked that QMed not be a
8 topic that the witnesses go into. It's a completely separate,
9 unrelated pharmacy; so it's also irrelevant.

10 But anyway, we objected because at this point it
11 sounds like the witness is going into Mr. Swiencinski's role
12 with that pharmacy, which, again, is completely and utterly
13 separate from this.

14 MR. LOUIS: In addition, Your Honor, it's hearsay.
15 It's beyond the scope of his knowledge. He didn't even know
16 this individual at that time.

17 THE COURT: Okay. This witness worked with them and I
18 assume has a general working knowledge of their backgrounds,
19 people that you work with and so that's why I was allowing the
20 testimony in regards to just the general background.

21 In regards to your point regarding the
22 separatment, that objection is sustained.

23 So you can move to another area regarding what we
24 have before this court. Understood?

25 MS. REMIS: Understood, Your Honor.

1 MS. RILEY: Thank you.

2 MS. REMIS: Your Honor?

3 THE COURT: Counsel?

4 MS. REMIS: I don't usually talk to the witness during
5 the break, but may I notify him that he should not talk about
6 QMed before the break.

7 THE COURT: You can tell him right here in open court
8 that -- I'll say that the objection has been sustained. You
9 can instruct him, and we can move on.

10 MS. REMIS: Okay. Understood.

11 (Conference at the bench concluded.)

12 THE COURT: Counsel, your objection is sustained.

13 **BY MS. REMIS:**

14 Q. Mr. Carr, without speaking about Mr. Swiencinski's prior
15 role at other pharmacies, could you explain how you understand
16 he and -- he approached Dr. Redko to start this pharmacy
17 focusing on this pharmacy?

18 A. Mr. Breimeister told me that Mr. Swiencinski met with
19 Dr. Redko, and they discussed the compound pharmacy business.
20 And Mr. Swiencinski told him that he was a sales rep for a
21 pharmacy and the way it was told to me, they decided why don't
22 we do this ourselves and Dr. Redko said, "I have a pharmacy."

23 So that's how they started, as 50/50 partners.

24 Q. Around when was that?

25 A. I think the discussions were in late 2012, and the